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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,981	03/23/2005	Jena-Marie Vau	85052DAN	6374
1333 7590 05/07/2007 PATENT LEGAL STAFF EASTMAN KODAK COMPANY 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER KIM, HEE SOO	
			ART UNIT 2109	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/528,981

Applicant(s)

VAU ET AL.

Examiner

Hee Soo Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 3/23/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/23/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/23/2005
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 3/23/2005 was filed after the mailing date of the application on 3/23/2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Inventorship***

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are being rejected under 35 U.S.C 102(e) as being anticipated by Chen et al. herein after Chen (US 2002/0169893).

Regarding Claim 1, Chen discloses a computer data synchronization system operating in accordance with a database, a server, a plurality of reception devices (or terminals), and a synch application adapted to receive and provide data to the plurality of reception devices via local area network and a wide area network such as the Internet. According to **Figure 2 and Paragraph [0026], Page 2**, Chen further discloses that the computer data synchronization system is shown communicating indirectly through a second synchronization system (which further includes a database, a synch application, and a server).

Chen discloses how first reception device interfaces with the server to create a new synchronization session. The first reception device further includes a synch client for interfacing with the server. The synch client sends initiation data to a synch application operating on the server. The synch application uses the initiation data to create a synch socket server, which defines the synchronization session by receiving data from, and providing data to a plurality of reception devices. The synch socket server creates a first synch socket handler for interfacing directly with the first reception device (**Paragraph [0041], Page 6**). Furthermore, Chen shows how a second reception device interfaces with the server to join an existing synchronization session. The second reception device, which also includes a synch client, sends joiner data to the synch

application. The synch application uses the joiner data to join the second reception device to the first reception device through the synch socket server. The synch socket server creates a second synch socket handler for interfacing directly with the second reception device. Subsequent reception devices can join the existing synchronization session in the same manner as the second reception device (**Paragraph [0042], Page 7**).

As stated above, Figure 2 depicts the synchronization system, which includes a database on both the sender and recipient's server. Furthermore, the message may contain annotated data created by the synch application to include information such as user identification data, where the user id data may include, but is not limited to, the user's name (or other identifying information). The annotated data are then stored in the document database (can be in either server as shown in Figure 2) and retrieved via the annotated data's meta-data to be viewed in its original context at a later time (**Paragraph [0036 and 0037], Pages 4-5**)

Regarding Claim 2, Chen discloses that once a synchronization session is formed, the synch application provides the users with predefined original computer data from a document database. The original computer contained within the document database may include, but is not limited to, textual data, graphical data, application program data, audio data, and video data (**Paragraph [0028] Lines 10-17**).

Regarding Claim 3, Chen as disclosed above states due to the fact that the computer data may be too large to be displayed on the plurality of reception devices, the synch application receives synchronization data from a controlling one of the plurality of

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reception devices to provide a portion of the original computer data to the plurality of reception devices (**Paragraph [0028] Lines 20-30**).

Regarding Claims 4-6, the claims are rejected for the same reasons as given in claim 3 (Note that the examiner is interpreting the portion of the original computer data shown in the display will show a combination of text, audio, and/or image to the plurality of reception devices).

Regarding Claims 7 and 8, Chen discloses the synch application is adapted to receive data from at least one of the plurality of reception devices, provide data to the plurality of reception devices, and store data within the database. Furthermore, the computer synchronization system of Figure 3 clearly shows the synch application is present on both servers (**212 and 212' of Figure 2**). Therefore, the synch application provides the portion of the stored computer data and displays to the plurality of reception devices.

Regarding Claim 9, Chen discloses the synch application may further be adapted to receive annotated data (Fig. 3) from the controlling reception device such that the annotated data can be superimposed over the portion of original computer data that is being provided to the plurality of reception devices with additional information pertaining to the annotations.

Regarding Claim 10, Chen as disclosed above that the additional annotated data could display the saving of the corresponding annotated data's meta-data or providing it to a

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user upon interaction with the corresponding annotated data. The annotated data are then stored in the document database (**214 and 214' of Figure 2**).

Regarding Claim 11, Chen as disclosed above discloses that the additional annotated data may contain user identification data, where the user identification may include, but is not limited to, the user's name (or other identifying information) and the date the annotated was created (**Paragraph [0036]**).

Regarding Claim 12, Chen as disclosed in claim 10 discloses that the additional annotated data can display the saving of the corresponding annotated data's meta-data or providing it to a user upon interaction with the corresponding annotated data.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is being rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Kuzma (US Patent 5,771,355).

Regarding Claim 13, Chen discloses the method of Claims 1-12, but does not disclose the additional annotated data having a hyperlink enabling the billing request of archiving to be performed. However, Kuzma discloses a method, which the e-mail (examiner interprets an e-mail similar to a multimedia message due to the fact that Kuzma

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discloses the e-mail has textual data, image, audio "attached") with an attachment is transmitted along with a relatively small attachment reference instead of actually transmitting the entire attachment file along with e-mail message (Column 5 Lines 1-10) to address the inefficient use of storage, processing bandwidth, and communications bandwidth resources utilized to transmit the attachment to the recipient (Column 4 Lines 52-57). Furthermore, Kuzma discloses that the storage costs include the preservation cost associated with the computations required to move the attachment in and out of the storage medium (Column 10, Line 29). It would have been obvious to one of ordinary skill in the art to modify Kuzma's claimed invention by adding an additional hyperlink contained in the e-mail message pointing to the cost of storing the attachment to the database and bill the user for the rights to use the service.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hee Soo Kim whose telephone number is (571) 270-3229. The examiner can normally be reached on Monday - Friday 7:30AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSK

Hee Soo Kim  
Examiner  
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MARVIN LATEEF  
SUPERVISORY PATENT EXAMINER